

Errata Page

Local Rules for the United States District Court Southern District of Florida Effective April 15, 2002

Pg. 11

RULE 5.2 PROOF OF SERVICE AND SERVICE BY PUBLICATION

D. Service of Pleadings and Papers Subsequent to Original Complaint

See attached Administrative Order 2001-72

In Re: Repeal of S.D.Fla.L.R. 5.2.D.

Pg. 20

RULE 7.5 MOTIONS FOR SUMMARY JUDGMENT

Comments

(2002) The rule is amended to require specific references to materials on file with the Court to support or controvert the movant's statement of undisputed facts. The "on file with the Court" language will require litigants to file any materials on which they intend to rely or to which they refer. This is in accord with the practice contemplated by Fed.R.Civ.P. 5(d)(1), as amended effective December 1, 2000. The Advisory Committee Notes to the December 2000 amendments make clear that, with regard to voluminous materials, only those parts actually used need to be filed, with any other party free to file other pertinent portions of the materials that are so used. See Fed.R.Evid. 106; cf. Fed.R.Civ.P. 32(a)(4). Therefore, only the portions of deposition transcripts actually "used" need be filed.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

IN RE:

Administrative Order 2001-72

REPEAL OF S.D. FLA. L.R. 5.2.D.

Upon *sua sponte* consideration of the amendments to Rules 5 and 6 of the Federal Rules of Civil Procedure, effective December 1, 2001, and in light of the limitations on local rules imposed by Rule 83(a)(1) of the Federal Rules of Civil Procedure and Rule 57(a)(1) of the Federal Rules of Criminal Procedure, it is hereby

ORDERED that Local General Rule 5.2.D is repealed as being inconsistent with Rules 5 and 6 of the Federal Rules of Civil Procedure, as amended effective December 1, 2001.

IT IS FURTHER ORDERED that the repeal of Local General Rule 5.2.D shall take effect *nunc pro tunc* on December 1, 2001, and shall govern all proceedings then pending and all proceedings thereafter commenced.

IT IS FURTHER ORDERED that the Clerk of the Court is hereby directed, for the next 60 days: (a) to publish this Order twice a week in the Daily Business Review (in the editions published in Dade, Broward and Palm Beach Counties, Florida); and (b) to offer every person who files any papers in any action in this Court, and to give to anyone who so desires, a copy of this Order.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida this 7th day of December, 2001.

**WILLIAM J. ZLOCH
CHIEF UNITED STATES DISTRICT JUDGE**

c: Honorable R. Lanier Anderson, III, Chief Judge, Eleventh Circuit
 All Southern District Judges and Magistrate Judges
 Norman E. Zoller, Circuit Executive, Eleventh Circuit
 Clarence Maddox, Court Administrator • Clerk of Court
 All members of the Ad Hoc Committee on Rules and Procedures
 Brian F. Spector, Chair, Ad Hoc Committee on Rules & Procedures
 Library
 Daily Business Review